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Attorneys for John Dee Spicer, Chapter 7 Trustee

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

In Re:

ROBERT JORDAN CONSTRUCTION, LLC

Debtor.

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Case No. 22-41804-elm7

No hearing requested.

**TRUSTEE'S NOTICE OF INTENT TO ABANDON PROPERTY**

**NOTICE**

**NO HEARING WILL BE CONDUCTED HEREON UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AT ELDON B. MAHON FEDERAL BUILDING, 501 W. TENTH STREET, FORT WORTH, TX 76102 BEFORE CLOSE OF BUSINESS ON NOVEMBER 25, 2022, WHICH IS FOURTEEN (14) DAYS FROM THE DATE OF SERVICE HEREOF.**

**ANY RESPONSE MUST BE IN WRITING AND FILED WITH THE CLERK, AND A COPY MUST BE SERVED UPON COUNSEL FOR THE MOVING PARTY PRIOR TO THE DATE AND TIME SET FORTH HEREIN. IF A RESPONSE IS FILED A HEARING WILL BE HELD WITH NOTICE ONLY TO THE OBJECTING PARTY.**

**IF NO HEARING ON SUCH NOTICE OR MOTION IS TIMELY REQUESTED, THE RELIEF REQUESTED SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT OR THE NOTICED ACTION MAY BE TAKEN.**

John Dee Spicer, Chapter 7 Trustee in this case (the “Trustee”) in the above-referenced bankruptcy case gives this **Trustee’s Notice of Intent to Abandon Property** (the “Notice”) pursuant to 11 U.S.C. § 554(a) and Federal Rule of Bankruptcy Procedure 6007(a) and would respectfully show the Court as follows:

1. The Debtor filed its voluntary petition under Chapter 7 of the Bankruptcy Code on August 9, 2022. Subsequently, John Dee Spicer was appointed as Chapter 7 Trustee.
2. The Debtor filed its Schedules (the “Schedules”) [Docket No. 16] on August 23, 2022.
3. The Schedules reflect the Debtor’s ownership interest in the following:
  - a. WRT 16 ft. dump trailer (the “Trailer”), purportedly located at Charles Riddings House; and
  - b. 2017 GMC Sierra with VIN # 1GD01REG2HZ219228 (“2017 GMC”).
4. The scheduled value of the Trailer is \$5,000.00 and the scheduled value of the 2017 GMC is “unknown”.
5. An unexpired lease with Ally Bank (“Ally”) for the 2017 GMC was scheduled by the Debtor. In this regard, the Trustee was informed that the lease with Ally for the 2017 GMC had an option to purchase the 2017 GMC for approximately \$15,399.36.
6. As part of the Trustee’s investigation into assets of this estate, the Trustee employed auctioneer, Rosen Systems, Inc. (“Rosen”), to sell the 2017 GMC and assist the Trustee with locating the Trailer to possibly sell. Rosen estimated the value of the Trailer to be approximately \$5,000.00.

#### **ATTEMPTS TO LOCATE TRAILER**

7. Rosen contacted Charles Riddings (“Riddings”) to request the location of the Trailer. Riddings informed Rosen that he did not know the Trailer’s location; however, he stated a person by

the name of Danny Targonski (“Targonski”) may know Trailer’s whereabouts. Targonski did not know the location of the Trailer either.

8. Based on Rosen’s unsuccessful attempts to determine the location of the Trailer, the Trustee through counsel (“Trustee’s Counsel”) inquired about the Trailer’s location again on a call with the Debtor’s managing member, Walter Robert Jordan (“Jordan”), on September 26, 2022. Trustee’s Counsel was informed that Jordan personally viewed the Trailer at the end of Riddings’ driveway located at 2703 Katherine Court, Dalworthington Gardens, TX 76016. Furthermore, Jordan informed Trustee’s Counsel that employee Oscar Gutierrez (“Gutierrez”) was to bring the Trailer back to the Debtor but failed to do so.

9. Trustee’s Counsel contacted Gutierrez on October 13, 2022, and Gutierrez stated that he has not seen the Trailer and was unaware of its location.

10. On October 19, 2022, Trustee’s Counsel viewed the address provided by Jordan for Riddings; however, no Trailer was located.

11. On October 20, 2022, Trustee’s Counsel was informed by Jordan that he is not aware of any other individual who may know the location of the Trailer.

#### **ATTEMPTS TO SELL 2017 GMC**

12. Rosen included the 2017 GMC in its October 2022 auction exchange with a minimum bid requirement of \$15,399.36 (the “Payoff”) based on an agreement with Ally to purchase the vehicle and assume the lease to the extent such bid for the purchase of the 2017 GMC was sufficient to retire the Payoff.

13. The auction has now concluded, and no bidder was willing to pay the minimum bid of \$15,399.36 for the 2017 GMC.

**ABANDONMENT**

14. Based upon the estimated value (\$5,000.00) of the Trailer by the Debtor and Rosen and the unsuccessful attempts to locate the Trailer by Rosen and the Trustee, the Trustee asserts that the Trailer is burdensome to the Estate and of inconsequential value and benefit to the estate.

15. Based upon the results of the auction and the lack of a bidder willing to bid an amount sufficient for Payoff of the 2017 GMC, the Trustee has concluded that the 2017 GMC is of inconsequential value and is burdensome to the estate. In this regard, the Trustee's agreement with Ally is that such lease with Ally for the 2017 GMC shall be rejected and the 2017 GMC immediately surrendered to Ally.

16. Section 554(a) of the Bankruptcy Code allows a Trustee to abandon any property of the estate that is burdensome to the estate or that is of inconsequential value and benefit to the estate.

17. The Trustee therefore gives this notice of his intent to abandon the Trailer and the 2017 GMC.

Respectfully submitted,

/s/ Leah Duncan

John Dee Spicer

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